

Defendant operates commercial air service operations at ABIA pursuant to a contract with the City. Defendant contracted with Huntleigh to provide services for Defendant in furtherance of Defendant's air service operations at various airports in the United States, including ABIA. As the evidence will show, Defendant has reason to believe that the Austin Fire Department and the Aviation Department may have had some knowledge or information regarding the incidents which lead to Plaintiff's alleged injury, as further described in Defendant's Third-Party Complaint attached hereto as **Exhibit A**.

II.

Defendant has been targeted by Plaintiff for the recovery of damages to compensate for the alleged injuries Plaintiff incurred while boarding Defendant's aircraft. However, because of Third-Party Defendants' (AFD, Huntleigh) direct contact with Plaintiff during the events leading up to Plaintiff's alleged injury, and Third-Party Defendants' responsibility to oversee and perform the operations of certain aircraft equipment located at the premises in which the alleged injury took place (Huntleigh, Aviation Department, ABIA), Third-Party Defendants AFD, Huntleigh, the Austin Aviation Department, ABIA, and the City are primarily responsible for the conditions of which Plaintiff complains and which may have been the proximate cause of Plaintiff's injuries, if any. Therefore, Third-Party Defendants AFD, Huntleigh, the Austin Aviation Department, ABIA, and the City should be joined and designated herein as responsible Third-Party Defendants pursuant to Federal Rule of Civil Procedure 14.

WHEREFORE, PREMISES CONSIDERED, Defendant Frontier Airlines, Inc. prays for leave to join Third-Party Defendants City of Austin, the Austin Fire Department, the Austin Aviation Department, Austin-Bergstrom International Airport and Huntleigh Corporation, to file

the Third-Party Complaint, attached hereto as **Exhibit A**, and for such other and further relief, at law or in equity, to which the parties may be justly entitled.

Respectfully submitted,

By: /s/ A. Lee Rigby

A. Lee Rigby
State Bar No. 24029796
lrigby@smith-robertson.com

Patrick J. Comerford, Esq.
State Bar No. 24096724
pcomerford@smith-robertson.com

SMITH ROBERTSON, LLP
221 West 6th Street, Suite 1100
Austin, Texas 78701
p: (512)-225-5810
f: (512)-225-5838

**ATTORNEY FOR DEFENDANT
FRONTIER AIRLINES, INC.**

CERTIFICATE OF SERVICE

By my signature above, I hereby certify that on July 21, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Joel A. Levine
LAW OFFICES OF JOEL A. LEVINE
5407 Parkcrest Drive, Suite 300
Austin, Texas 78731
P: (512)-982-1510
F: (512)-367-5928
joel@joelalevine.com